



Entered on Docket
February 12, 2010

A handwritten signature in dark ink, appearing to read "Bruce A. Markell".

Hon. Bruce A. Markell
United States Bankruptcy Judge

GREGORY L. WILDE, ESQ.
Nevada Bar No. 004417
KEVIN SODERSTROM, ESQ.
Nevada Bar No. 10235
MATTHEW SCHRIEVER, ESQ.
Nevada Bar No. 10745
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E-filed on _____

HSBC Bank USA, National Association, as Trustee for Nomura Asset Acceptance Corporation
Mortgage Pass-Through Certificates Series 2006-AF1
09-73975

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

In Re:

FRANK J. FIORITTO,

Debtor,

Debtor.

BK-S-09-17138-BAM

Chapter 13

Date: February 23, 2010

Time: 3:30 p.m.

STIPULATION TO DISMISS
MOTION TO DETERMINE HSBC
BANK USA, NA'S VIOLATIONS FOR
CONTEMPT OF COURT PURSUANT
TO 11 U.S.C. SECTION 105 AND FRBP
9011 AND REQUEST FOR PUNITIVE
DAMAGES, ATTORNEY'S FEES AND
SANCTIONS

COMES NOW, the Debtor Frank J. Fioritto and SECURED CREDITOR HSBC BANK USA, NA'S by and through their respective counsel, and file this stipulation and order agreeing as follows

1) That the Motion to Determine HSBC Bank USA, NA's Violations for Contempt of Court Pursuant to 11 U.S.C. Section 105 and FRBP 9011 and Request for Punitive Damages, Attorney's Fees and Sanctions is hereby withdrawn with prejudice in exchange for valuable consideration, receipt of which is hereby acknowledged.

2) That the February 23, 2010 hearing set for 3:30 p.m. shall be vacated.

3) That each side is to bear their own attorneys fees and costs.

IT IS SO ORDERED this ____ day of _____, 2010.

Respectfully submitted by:
WILDE & ASSOCIATES

By _____
GREGORY L. WILDE, ESQ.
Attorneys for Secured Creditor
208 South Jones Boulevard
Las Vegas, Nevada 89107

APPROVED AS TO FORM & CONTENT:

David Krieger, Esq.

By _____

David Krieger, Esq.
Attorney for Plaintiff
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